

UNITED STATES DISTRICT COURT

for the

DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2008 FEB 29 P 4: 00

United States of America)

v.)

Jose Diaz)

Case No: L-98-0094

USM No:)

BY _____ DEPUTY

Date of Previous Judgment: December 13, 1999)

James Murphy

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

CLERK'S OFFICE
AT BALTIMORE**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is reduced to time served.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 38Amended Offense Level: 36Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated December 13, 1999 shall remain in effect.

IT IS SO ORDERED.Order Date: February 29, 2008Effective March 9, 2008

(if different from order date)


 Signature

Benson Everett Legg, Chief Judge

Printed name and title